

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Madan Lal,
S/o Shri Bhagat
R/o Village-Dhaarkot
Post-Banchaura, Tehsil-Chinyalisaur
Uttarkashi, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division
Uttarakhand Power Corporation Ltd.
Uttarkashi, Uttarakhand

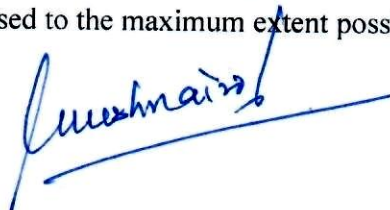
Representation No. 26/2026

Award

Dated: 29.07.2026

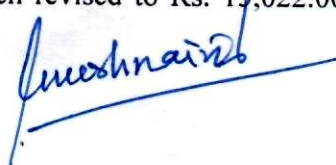
Present appeal/ representation has been preferred by the appellant Shri Madal Lal, S/o Shri Bhagat, R/o Village-Dhaarkot, Post-Banchaura, Tehsil-Chinyalisaur, Uttarkashi, Uttarakhand against the order of Consumer Grievance Redressal Forum, Uttarkashi Zone, (hereinafter referred to as Forum) dated 16.12.2024 in his complaint no. 150/2024 by which Ld. Forum has allowed the complaint of the complainant, Shri Madal Lal, against UPCL through Executive Engineer, Electricity Distribution Division, Uttarakhand Power Corporation Ltd., Uttarkashi, Uttarakhand (hereinafter referred to as respondent).

2. The instant appeal/ petition have been preferred by the petitioner Shri Madal Lal wherein he has averred he has 01 KW domestic connection no. UK24124417019. He has averred that IDF bills be revised as he is not satisfied with the bills as revised by the respondents. The revised bills are beyond his paying capacity. He has therefore requested that the issued bills be revised to the maximum extent possible.



In his complaint before the Forum, a copy of which has been enclosed with the instant petition he had averred that IDF bills were issued on his connection from the month of 07/2018 to 12/2022 which have not been revised resulting into accumulative excessive outstanding dues, payment of which is beyond his capacity.

3. The Forum in his complaint no. 150/2024 after perusal of records and hearing arguments has passed order dated 16.12.2024 vide which the complaint was allowed and has further mentioned that the matter of revision of bills stands disposed off as the IDF bills have already been revised by the opposite party (the UPCL). The Forum has further directed the complainant to pay his bill timely.
4. The answering respondent, Executive Engineer, EDD, Uttarkashi has submitted his written statement vide letter no. 630 dated 12.05.2026 along with a notarized affidavit. Point wise replies are as follows:-
 - i. His name and address is correct. Replies in appeal no. 26/2026 of Shri Madan Lal are as follows.
 - ii. Shri Madan Lal is a consumer of connection no. UK24124417019 under lifeline below poverty consumer with a load of 01 KW.
 - iii. He has preferred a complaint dated 14.11.2024 before the Forum with the request for revision of his bills.
 - iv. The Forum after hearing both parties passed order dated 16.12.32024 in complaint no. 150/2024 with the direction that IDF bills be revised as per rules.
 - v. Accordingly in compliance of Forum order the bills have duly been revised as a result of which the total outstanding dues Rs. 17,908.00 have been reduced to Rs. 15,022.00/-. The consumer has yet not made payment of the revised bills therefore the appeal is liable to be dismissed.
5. The petitioner has submitted a rejoinder dated 04.07.2026. He has averred that he has connection no. UK24124417019 under lifeline below poverty consumer with a load of 01 KW at his residential premises. The total dues against the bills as yet present are Rs. 25,488.00/-. Due to poor availability of electricity the consumption of electricity is too low and the bill is too high in comparison of actual consumption. A complaint was preferred by him before the Forum on 14.11.2024 in compliance to Forum order bill amounting to Rs. 17,908.00/- has been revised to Rs. 15,022.00/- but he is not



satisfied with this revision. The said revised bill has yet not been paid because he is a poor fellow and is unable to pay so many amounts. At present this bill has further become of Rs. 25,488.00/-, payment of which is beyond his capacity and he is unable to pay it. He can only pay about 25 to 30% of the total bill amount as at present and he is unable to pay more than that. He cannot pay the bill till it is revised to his satisfaction and his paying capacity. The connection may not be disconnected for nonpayment of dues.

6. Hearing in the case was held on scheduled date 15.07.2026. Both parties appeared the petition himself and the SDO on behalf of the respondents. Both argued their respective case orally. In addition to verbal arguments, respondent's representative also submitted a copy of consumer billing history from 18.01.2009 to 13.07.2026 as also a calculation sheet of bill revision.
7. After perusal of records, it is noted that a connection no. UK24124417019 was released for 01 KW load in favour of the petitioner Shri Mandan Lal on 18.01.2009 under BPL category with no solar and also smart meter has yet not been installed. The billing history reveals that IDF bills were issued from the month of 05/2018 (bill date 17.05.2018 till the month of 10/2022) (bill dated 16.10.2022) in a single stretch. Most of the bills have been issued for 10 units per bill except one bill for 45 units and one another bill for 30 units. Prior to becoming the meter defective two bills were issued for NR, one bill RDF yet three numbers bill thereafter for NR and MU bills have thereafter been issued from the month of 23.01.2017 upto 11/2010 whereafter three bills issued for NR, one bill for MU again five bills upto the month of 05/2009 were issued on NA/NR. The defective meter shown replaced in the bill for the month of 02/2023 and whereafter billing continued on metered consumption till the month of 06/2026 as per billing history. The bill revision as reported by the respondents is reflected in the billing history. Further the current outstanding dues till the month of 06/2026 as per billing history are Rs. 26,353.00/-.
8. Firstly, the respondents are found guilty of issuing IDF bills from the month of 05/2018 till the month of 10/2022 in gross violation of UERC Relevant Supply Code Regulation as well as tariff provisions which shall be reproduced under this order under following para which provides that the respondent can issue only two IDF bills

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whereafter they are not entitled to issue any IDF bills without installing a correct meter.

Supply Code Regulation 2020

Sub regulation 5.1.4(1)

"If the meter is not displaying/not recording/ stuck as reported by the consumer, the Licensee shall check the meter within 30 days of receipt of complaint and if found not displaying/not recording/stuck or identified as defective (IDF), the meter shall be replaced by the Licensee within 15 days thereafter.

Sub regulation 5.1.7 (1 & 2)

"The consumer shall be billed on the basis of the average consumption of the past three billing cycles immediately preceding the date of the meter being found or being reported defective/stuck/stopped/burnt/stolen. These charges shall be leviable for a maximum period of 02 billing cycle during which time the Licensee is expected to have replaced the defective meter.

The maximum Demand charges shall be calculated based on maximum demand during corresponding months/ billing cycle of previous year, when the meter was functional and recording correctly. In case, the recorded MDI of corresponding month/ billing cycle of past year is also not available, the highest maximum demand as available for lesser period shall be considered."

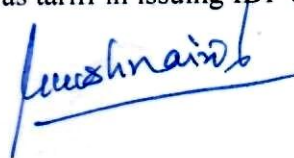
Tariff provisions

Billing in Defective Meter (ADF/IDF), Meter Not Accessible/ Not Read (NA/NR) and Defective Reading (RDF) Cases

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The consumer shall be billed on the basis of the average consumption of the past three billing cycles immediately preceding the date of the meter being found or being reported defective (as per the Electricity Supply code). These charges shall be leviable for a maximum period of two billing cycle only during which time the licensee is required to replace the defective meter. Thereafter, the licensee shall not be entitled to raise any bill without correct meters.

9. It is therefore clear that the respondents have blatantly violated the above provisions under Supply Code Regulation as well as tariff in issuing IDF bills from the month of



05/2018 to 10/2022 i.e. for 24 billing cycles in a single stretch (for about 4.5 years) and they have not discharged their duty to replace the defective meter within the prescribed period. The respondents have also failed to keep the meter in working order at all times as provided under sub regulation 5.1.1 (6) which provides that ***"It shall be the responsibility of Licensee to maintain the meter and keep it in working order at all times."***

10. In view of the facts of the case that IDF billing continued for 24 billing cycles in a single stretch in violation of the aforesaid provisions under relevant UERC Regulation as also the tariff provisions, the respondents have committed blatant violations of the regulations, they are therefore not entitled to charge the consumer for IDF bills beyond first two IDF bills. At the same time the UPCL cannot be put to bear financial loss on account of not realization of the amount of IDF bills beyond first two billing cycles. It will therefore be logical and necessary to safeguard the interest of UPCL that amount of these IDF bills for remaining 22 billing cycles be recovered from the staff of the division who have violated the relevant UERC regulations for continuing to issue IDF bills for such a long period of about 4.5 years, from 05/2018 to 10/2022 (24 billing cycles) and who are also responsible for inordinate delay in replacement of defective meter. Such being the case while petition is liable to be allowed and Forum order is liable to be set aside. Further the UPCL management may depute an officer to investigate and identify the erring staff and ordering for recovery of the amount of IDF bills for the remaining 22 billing cycles of IDF bills from such officials.

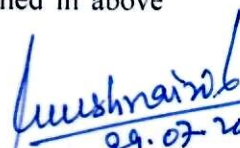
Order

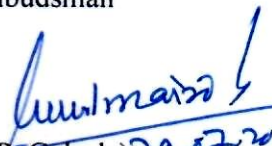
The Petition is allowed. Forum order is set aside. Recovery as mentioned in above para no. 10 be made from the erring staff.

Dated: 29.07.2026

Order signed dated and pronounced today.

Dated: 29.07.2026


(D. P. Gairola)
Ombudsman


(D. P. Gairola)
Ombudsman